

**REMARKS**

Reconsideration of the present application as amended is respectfully requested.

Claims 1, 2, 9, 16, 18, 24, and 25 have been amended. Claim 15 has been canceled. Support for the amendments to the claims can be found at at least page 6, lines 9-32 and page 7, lines 25-31 of the application as originally filed. Claims 1-25 are currently pending.

Claims 1-25 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,429,507 to Kaplan ("Kaplan"). Independent claim 1 has been amended to include the features of "a gaming apparatus for conducting a wagering game on a gaming machine having a housing, the gaming apparatus comprising an electro-mechanical award display, the award display including a plurality of physical elements each located at a different location on the housing and movable between an extended position and a retracted position to indicate a game outcome, wherein the location and position of each of the plurality of physical elements indicates an associated game outcome." Applicant respectfully submits that Kaplan fails to teach or suggest the features of independent claim 1 as amended.

Kaplan describes a slot machine that includes braille pin pads that form raised imprints to coincide with symbols displayed on reels of the slot machine so that a visually impaired person can feel the raised imprints to determine the symbols displayed on the reels. As described in column 3, lines 7-21 of Kaplan, each of the braille pin pads includes at least nine pins to indicate the symbol displayed on each reel. Kaplan further describes in column 3, lines 55-60 that the slot machine further includes braille pin pads to indicate numbers of coins represented in a win display indicating the value of current winnings. The braille pin pads described by Kaplan are used to indicate the result of the spin of the reels of the slot machine. All of the braille pin pads corresponding to a result of a particular reel are always located in a fixed position on the slot machine so that a visually impaired person can determine a particular outcome of a reel without repositioning his or her hand from the fixed position on the slot machine.

In contrast, the invention of independent claim 1 as amended includes the feature of "a plurality of physical elements each located at a different location on the housing and movable between an extended position and a retracted position to indicate a game outcome." Applicant

respectfully submits that Kaplan contains no teaching or suggestion of a plurality of physical elements each located at a different location of a housing of a gaming machine housing to indicate a game outcome.

Furthermore, in the slot machine of Kaplan, at least nine pins are used to indicate the symbol shown on each reel of the slot machine. In contrast, the invention of independent claim 1 as amended includes the feature of wherein the location and position of each of a plurality of physical elements indicates an associated game outcome. Applicant respectfully submits that Kaplan contains no teaching or suggestion of using a single physical element to indicate an associated game outcome. In the slot machine of Kaplan, each of the braille pad pins is not associated with a game outcome. Instead, a number of braille pad pins are used to collectively indicate the results of a single spin of a reel in the slot machine of Kaplan. In view of the foregoing, Applicant respectfully submits that independent claim 1 distinguishes over Kaplan and requests that the 35 U.S.C. 102(b) rejection of independent claim 1 be withdrawn.

Independent claim 9 has been amended to include the features of a processor operative to "in response to a predetermined criterion, move the physical elements between an extended position and a retracted position to indicate a game outcome, wherein each of the plurality of physical elements indicates an associated game outcome" and "during a single wagering game, stop each of the moving physical elements in either the extended position or the retracted position, and provide the outcome based on which of physical elements stop in the extended position and which of the physical elements stop in the retracted position." Applicant respectfully submits that Kaplan fails to teach or suggest the features of independent claim 9 as amended.

As discussed with respect to independent claim 1, in the slot machine of Kaplan, at least nine pins are used to indicate the symbol shown on each reel of the slot machine. In contrast, the invention of independent claim 9 as amended includes the feature of wherein each of a plurality of physical elements indicates an associated game outcome. Applicant respectfully submits that Kaplan fails to teach or suggest using a single physical element to indicate an associated outcome of a game. In the slot machine of Kaplan, each of the braille pad pins is not associated with a game outcome. Instead, a number of braille pad pins are used to collectively

indicate the results of a single spin of a reel in the slot machine of Kaplan. Further regarding independent claim 9, in the slot machine of Kaplan, only the particular pins of the braille pin pad needed to indicate the symbol displayed on the corresponding reel are raised, and thus only those particular pins are moved during a particular spin of the slot machine. In contrast, the invention of independent claim 9 includes the feature of during a single wagering game, each of the moving physical elements are stopped in either the extended position or the retracted position, and provide the outcome based on which of the physical elements stop in the extended position and which of the physical elements stop in the retracted position. In view of the foregoing, Applicant respectfully submits that independent claim 9 distinguishes over Kaplan and requests that the 35 U.S.C. 102(b) rejection of independent claim 9 be withdrawn.

Independent claim 18 has been amended to include the features of "receiving a wager to play the wagering game including a basic game and a bonus game" and "in response to a bonus game triggering outcome of the basic game, moving the physical elements between an extended position and a retracted position to indicate a bonus game outcome, wherein each of the plurality of physical elements indicates an associated bonus game outcome." Applicant respectfully submits that Kaplan fails to teach or suggest at least these features of independent claim 18 as amended.

As described with respect to independent claim 1, Kaplan describes a slot machine that includes braille pin pads that form raised imprints to coincide with symbols displayed on reels of the slot machine so that a visually impaired person can feel the raised imprints to determine the symbols displayed on the reels. The braille pin pads described by Kaplan are used to indicate the result of the spins of the reels of the slot machine, and thus indicate the outcome of a "basic" slot machine game. Applicant respectfully submits that Kaplan contains no teaching or suggestion of a wagering game including a basic game and a bonus game, much less using braille pin pads to indicate a bonus game outcome in response to a bonus game triggering outcome of a basic game.

Furthermore, in the slot machine of Kaplan, at least nine pins are used to indicate the symbol shown on each reel of the slot machine. In contrast, the invention of independent claim 18 as amended includes the feature of wherein each of a plurality of physical elements indicates

an associated bonus game outcome. Applicant respectfully submits that Kaplan contains no teaching or suggestion of using a single physical element to indicate an outcome of a bonus game. In the slot machine of Kaplan, each of the braille pad pins is not associated with a game outcome. Instead, a number of braille pad pins are used to collectively indicate the results of a single spin of a reel in the slot machine of Kaplan. In view of the foregoing, Applicant respectfully submits that independent claim 18 distinguishes over Kaplan and requests that the 35 U.S.C. 102(b) rejection of independent claim 18 be withdrawn.

Claims 2-8, 10-14 & 16-17, and 19-25 are dependent upon and include the features of their respective independent claims 1, 9, and 18. For at least the reasons discussed with respect to independent claims 1, 9, and 18, Applicant respectfully submits that claims 2-8, 10-14 & 16-17, and 19-25 also distinguish over Kaplan and requests that the 35 U.S.C. 102(b) rejections of claims 2-8, 10-14 & 16-17, and 19-25 be withdrawn.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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